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ON PETITION

In re Application of
Guyton, et al.
Application No. 10/799,117
Filed: March 12, 2004
Attorney Docket No. 30011.24987
For: SELF-CONTAINED AIR LIFTED
SEAT APPARATUS

This is a decision on the petition under 37 CFR 1.137(b), filed September 8, 2008, requesting revival of the above-identified application.

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application became abandoned as a result of petitioners' failure to file an appeal brief (and fee required by 37 CFR 41.20(b)(2)) within the time period provided in 37 CFR 41.37(a)(1). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed August 16, 2007 (certificate of mailing date August 14, 2007), and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.197(b). As no claim was allowed, the application became abandoned on October 15, 2007. *See* MPEP 1215.04.

Applicants have submitted an Appeal Brief, an acceptable statement of the unintentional nature of the delay in filing the Appeal Brief, and authorization to charge the \$1,540.00 petition fee. The fee is being charged to petitioners' deposit account.

After the mailing of this decision, the file will be forwarded to Technology Center AU 3636 for consideration of the Appeal Brief.

Telephone inquiries pertaining to this matter may be directed to the undersigned at (571) 272-3230.

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Office of Petitions